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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DWIGHT WATSON, DANIEL FARIAS, LAUREN WATSON, and NICOLE WATSON.

Plaintiffs,

GLENN ALBIN, et al..

Defendants.

Case No. C06 07767 RMW (HRL)

**STIPULATED PROTECTIVE
ORDER
(AS MODIFIED BY THE COURT)**

The Honorable Ronald M. Whyte

IT IS HEREBY STIPULATED by Plaintiffs Dwight Watson, Daniel Farias, Lauren Watson, and Nicole Watson, Defendant Glen Albin, Defendant Michael D'Antonio, Defendant David Mendez and Defendant Mike Rubino, by and through their attorneys of record, that the information referenced below, furnished to Plaintiffs Dwight Watson, Daniel Farias, Lauren Watson, and Nicole Watson and Defendants Glen Albin, Michael D'Antonio and David Mendez pursuant to the Plaintiffs' Request for Production of Documents (Set One) to Defendant State of California in the corresponding Santa Clara County Superior Court case number 107CV 096770 shall be kept confidential and used solely in connection with the preparation and trial of this matter, United States District Court, Northern District of California, case number C06-07767 RMW and the corresponding Santa Clara County Superior Court case number 107CV 096770.

1 **IT IS FURTHER STIPULATED** that (1) the seven-page Operation Order for the
2 operation at the home of Curtis Farias on October 25, 2005, and (2) the Santa Clara County
3 Specialized Enforcement Team (SCCSET) Policies and Procedures (referred to as “General
4 Orders” by Plaintiffs) shall be subject to the following restrictions:

5 1. Counsel may use protected material that is disclosed or produced in connection with
6 this case only for prosecuting, defending, or attempting to settle Santa Clara County Superior
7 Court case number 107CV 096770 and United States District Court, Northern District of
8 California, case number C06-07767 RMW;

9 2. Counsel may disclose this information only to:

10 a. other counsel of record for the parties in United States District Court, Northern
11 District of California, case number C06-07767 RMW and in Santa Clara County Superior Court
12 case number 107CV 096770;

13 b. experts retained by the parties to whom disclosure is reasonably necessary for this
14 litigation and who have signed an “Agreement to be Bound by Protective Order;”

15 c. during their depositions, witnesses in the action to whom disclosure is reasonably
16 necessary and who have signed an “Agreement to be Bound by Protective Order.” Pages of
17 transcribed deposition testimony and/or exhibits to depositions that reveal protected material
18 must be separately bound by the court reporter and may not be disclosed to anyone except as
19 permitted under this Stipulated Protective Order;

20 d. the author of the document or the original source of the information;

21 e. the Court and its personnel;

22 f. court reporters, their staffs, and professional vendors to whom disclosure is
23 reasonably necessary for this litigation and who have signed an “Agreement to be Bound by
24 Protective Order.”

25 3. Under no circumstances shall the documents disclosed pursuant hereto be shown to
26 Plaintiffs in this case (Dwight Watson, Lauren Watson, Nicole Watson, or Daniel Farias) or the
27 contents of the documents be shared with Plaintiffs in this case by Plaintiffs’ attorneys, except by
28 order of the Court or during the regular course of use at trial;

1 4. Under no circumstances shall the information disclosed pursuant hereto be used in any
2 proceeding other than the instant cases listed above, except by court order;

3 5. Under no circumstances shall the information disclosed pursuant hereto be
4 disseminated in any form, except by court order;

5 6. Counsel are prohibited from releasing, disseminating, or sharing the information
6 disclosed with anyone, with the exception of other attorneys working on this case on behalf of
7 these parties; and

8 7. The information provided is only to be used in connection with the cases stated above,
9 and this material shall be returned to counsel for the State of California at the conclusion of the
10 case. **Nothing in this Protective Order shall require the Court to return any materials.**

11 8. Without written permission from the State of California, or a court order secured after
12 appropriate notice to all interested persons, a party may not file in the public record in this action
13 any protected material. A party may seek to file protected material under seal according to ~~local~~
14 ~~rules~~. **Civil Local Rule 79-5.**

15 The information disclosed shall be delivered to Plaintiffs' and Defendants' counsel of
16 record, who shall be responsible for ensuring that the terms of this order are complied with.

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1 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

2 Dated: March 28, 2008.

Law Offices of Mark W. Martel

3 By: */s/ Mark W. Martel*

4 Mark W. Martel

5 Attorneys for Plaintiffs

6 Dated: March 28, 2008.

7 Morrison & Foerster, LLP

8 By: */s/ K.C. Allan Waldron*

9 K.C. Allan Waldron

10 Attorneys for Plaintiffs

11 Dated: March 28, 2008.

12 California Department of Justice
13 Office of the Attorney General

14 By: */s/ Jennifer C. Addams*

15 Jennifer C. Addams

16 Deputy Attorney General

17 Attorneys for Defendants

18 State of California and Mike Rubino

19 Dated: March 28, 2008.

20 Office of the San Jose City Attorney

21 By: */s/ Michael J. Dodson*

22 Michael J. Dodson

23 Senior Deputy City Attorney

24 Attorneys for Defendant Glenn Albin

25 Dated: March 28, 2008.

26 Burton, Volkmann & Schmal, LLP

27 By: */s/ Timothy J. Schmal*

28 Timothy J. Schmal

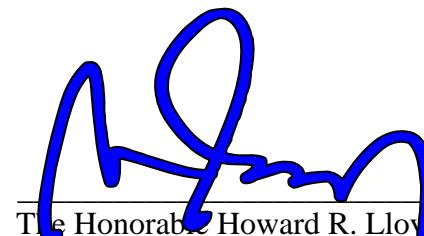
Attorneys for Defendants

Stipulated Protective Order

David Mendez and Michael D'Antonio

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED (AS MODIFIED BY THE COURT).**
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3 Dated: 4/14, 2008.

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6 The Honorable Howard R. Lloyd
7 United States Magistrate Judge
8 Northern District of California
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